S.B. CRIMINAL MISC. BAIL APPLICATION NO. 1740/2007
(Babulal and Anr. Vs. State of Rajasthan)

DATE OF ORDER : 10.7.2007

HON'BLE MR. JUSTICE BHANWAROO KHAN

Mr. Ravindra Acharya,for the petitioner.
Mr. Vishnu Kachhawaha,Public Prosecutor.

Heard learned counsel for the petitioner as also learned Public Prosecutor for the State.

The accused is facing charge under Sections 302, 201, 394 IPC. The trial is in progress and 11 witnesses have already been examined, but the main witness Smt. Maina W/o Raghuveer Singh has not been examined by the Court. As per statement of deceased before death he was seen talking with Smt. Maina and she informed that she saw the deceased with accused Babu Lal and Shravan Singh. On 12.9.2006, both accused reached on the residence of Maina on motor-cycle belonging to the deceased. During investigation, statement of Smt. Maina have been recorded under Section 161 Cr.P.C.

At this juncture, the bail application under Section 439 Cr.P.C. is rejected with liberty to the petitioner to file afresh after recording the statement of Smt. Maina before the trial court.

(BHANWAROO KHAN),J.

RM/-